

Opening Statement at CCW High Contracting Parties Meeting

Opening Statement by Stephen Mathias, Head of the U.S. Delegation, Meeting of the High Contracting Parties to Convention on Conventional Weapons

Geneva, November 12, 2009

Thank you, Mr. President.

On behalf of the members of my delegation, I would like to join with other delegations in congratulating you on the assumption of your post as President of the Meeting of States Parties. You have our full support.

As noted in the statement by Mr. Harold Koh, the Legal Adviser for the Department of State at the 3rd Conference of High Contracting Parties to Protocol V, we are extremely pleased to be a party to the Convention and all its protocols. The United States took a leading role in negotiating these protocols and the amendment, has long complied with the norms contained in them, and is pleased to now finally be a party to each of them. This action reaffirms the U.S. commitment to the development and implementation of international humanitarian law (IHL).

Mr. President, in the interests of time, the remainder of my statement will deal with the issue of future work on cluster munitions, which the United States believes is of particular interest to the States Parties to the CCW at this time. It would not contribute to the work of this Conference to enter into issues here that are outside the scope of the work of the CCW. Some matters of this type were raised this morning; these matters have all been addressed in appropriate fora.

The United States believes it is important that the States Parties to the CCW continue our work on cluster munitions in this framework. We would like to extend our thanks to our coordinator, Mr. Gustavo Ainchil. We appreciate his

efforts to get us to this point.

We remain committed to negotiating a legally binding Protocol on Cluster Munitions in the CCW to mitigate the threat to civilian populations resulting from the use of cluster munitions. We have acknowledged that many States represented here are parties to the Convention on Cluster Munitions (CCM). However, many other States, including the United States, are not parties. It is for each State here to determine whether its national security interests can be fully ensured consistent with the terms of the CCM. As we have noted on other occasions, a comprehensive international response to the humanitarian concerns associated with cluster munitions must include action by those States that are not in a position to become parties to the CCM, because among those States are the States that produce and stockpile the vast majority of the world's cluster munitions. The United States believes that it should be possible to reach agreement in the CCW on a protocol on cluster munitions that will have significant humanitarian benefits. The U.S. delegation is committed to working cooperatively with delegations across the spectrum of views represented here to achieve this positive result.

We knew before we arrived here this week that negotiations on a cluster munitions protocol in the CCW would continue to be difficult, and we realized that strong differences remain among the various delegations. The statements made thus far during this exchange of views have underlined this reality. Nevertheless, we believe that it is worth devoting a significant effort to achieve a successful result. A CCW protocol that imposes meaningful requirements on the countries that hold 90 percent of the world's stockpiles of cluster munitions would be an important step forward from a humanitarian standpoint. On behalf of the United States, let me reaffirm that we have come prepared to listen to all reasonable proposals and comments regarding the existing text and believe that this text provides a foundation for our work next year. While we are flexible about the mandate for 2010, we believe we can continue our work under the current mandate. We believe that the CCW's customary methods of work provide the best way to organize our continued efforts.

We look forward to working next year with other delegations to look for ways to resolve the most challenging issues before us, in order to complete our important work.

Thank you.